

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**ROBERT SVANCARA and
STEVEN SVANCARA,**

Plaintiffs,

vs.

RAIN AND HAIL, L.L.C.,

Defendant.

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8:09CV144

ORDER

This case is before the magistrate judge pursuant to 28 U.S.C. § 636 and the consent of the parties, for disposition of plaintiffs' request that the court vacate arbitration awards entered March 7, 2009 pursuant to the Federal Arbitration Act ("FAA"). Now pending is the plaintiffs' Motion for Discovery (Filing 31) and the defendant's response in opposition thereto (Filing 32).

Plaintiffs were previously given leave to file a motion for permission to conduct further discovery on the condition that any such motion include the text of the proposed discovery requests and be accompanied by a brief citing the legal authorities upon which plaintiffs rely to show that their proposed requests are relevant to the scope of the court's review under 9 U.S.C. § 10(a). Plaintiffs' pending Motion for Discovery (Filing 31), while timely filed, does not comply with these requirements. The motion is deemed abandoned, *see* NECivR 39.2(c), and is denied.

IT IS SO ORDERED.

DATED December 7, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**